

UNITED STATES DISTRICT COURT
for the

Northern District of California

FILED UNDER SEAL

United States of America

v.

JASON NIOUS,

)

Case No.

)

4:24-mj-71750 MAG

)

)

*Defendant(s)***FILED**

Dec 12 2024

Mark B. Busby
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 18, 2024 in the county of Alameda in the
Northern District of California, the defendant(s) violated:*Code Section**Offense Description*

18 USC 922(g)(1) felon in possession of a firearm

This criminal complaint is based on these facts:

See attached Affidavit of FBI Special Agent Martha E. Parker

 Continued on the attached sheet.Approved as to form /s/ Ivana Djak
AUSA IVANA DJAK/s/ Martha E. Parker*Complainant's signature*Martha E. Parker, Special Agent, FBI*Printed name and title*

Sworn to before me by telephone.

Date: 12/11/2024
Kandis A. Westmore
*Judge's signature*City and state: Oakland, CAHon. Kandis A. Westmore, U.S. Magistrate Judge*Printed name and title*

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT AND ARREST WARRANT

I, Martha E. Parker, Special Agent of the Federal Bureau of Investigation (“FBI”), being first duly sworn, hereby depose and state as follows:

INTRODUCTION

1. I make this affidavit in support of an application under Rule 4 of the Federal Rules of Criminal Procedure for an arrest warrant and criminal complaint, charging JASON NIOUS with being a felon in possession of a firearm in violation of Title 18, United States Code, Section 922(g)(1), occurring on or about September 18, 2024, in Oakland, California in the Northern District of California.

SOURCES OF INFORMATION

2. The facts stated in this affidavit come from my personal observations, my training and experience, information from records and databases, and information obtained from other agents, officers, and witnesses. Where statements made by other individuals (including other law enforcement officers) are referenced in this Affidavit, such statements are described in sum and substance and in relevant part. Similarly, where information contained in reports and other documents or records is referenced in this Affidavit, such information is also described in sum and substance and in relevant part.

3. Because this Affidavit is being submitted for the limited purpose of establishing probable cause for a criminal complaint and arrest warrant, I have not included every fact known to me about this case. Rather, I have set forth only the facts that I believe are necessary to support probable cause for a criminal complaint and arrest warrant. My understanding of the facts and circumstances of the case may evolve as the investigation continues.

AFFIANT BACKGROUND

4. I am a Special Agent of the FBI and have been so employed since January 1999. I received substantive training at the FBI Academy in Quantico, Virginia, on various areas including evidence collection, interviewing, legal procedure and process, substantive training on federal laws (including those that relate to sex trafficking and firearms cases), source

management, investigative technology, firearms and tactical training, and defensive tactics. I am currently assigned to the San Francisco Division Crimes Against Children and Human Trafficking Squad and have specialized in crimes against children and human trafficking for nearly my entire career.

5. I primarily investigate cases such as sex trafficking, child sex tourism, and child abductions. I have also investigated other violent crimes, including offenses involving the possession and use of firearms, such as bank robberies and homicides. I have also received training and have gained experience in the field related to federal firearms offenses, including violations of Title 18, United States Code, Section 922(g)(1). As a federal agent, I am authorized to investigate violations of the laws of the United States, and I am a law enforcement officer with authority to execute warrants issued under the authority of the United States.

APPLICABLE LAW

6. The elements of Title 18, United States Code, Section 922(g)(1) are as follows: (1) the defendant knowingly possessed a firearm; (2) that firearm had been shipped or transported from one state to another or between a foreign nation and the United States; (3) at the time the defendant possessed the firearm, the defendant had been convicted of a crime punishable by imprisonment for a term exceeding one year; and (4) at the time the defendant possessed the firearm, the defendant knew that he had been convicted of a crime punishable by imprisonment for a term exceeding one year.

STATEMENT OF PROBABLE CAUSE

7. Law enforcement has identified NIOUS as a repeat offender who is suspected to engage in human trafficking on and off the Oakland blade. Law enforcement has stopped NIOUS on or near the Oakland blade on multiple occasions. During one of those occasions, law enforcement recovered a loaded firearm from NIOUS' vehicle.¹

¹ It should be noted that NIOUS does live in an area near the Oakland blade.

The Oakland Blade

8. I know from my training and experience that a “blade,” also called a “track” or “stroll,” is an area in which commercial sex workers loiter to meet “johns,” and then perform sex acts for money. I also know that the most active blade in Oakland, California is located in and around International Boulevard, currently between approximately 5th Avenue and 23rd Avenue. The exact streets change throughout the years based on traffic patterns, law enforcement activity, and other variables. International Boulevard is known throughout the San Francisco Bay Area for prostitution activity, and it has seen an increase in other violent crimes in the past several years as well, much of it related to the prostitution activity.

9. Conduct on the Oakland blade involves commercial sex workers walking up and down International Boulevard, standing at a corner, or even standing in the intersection in order to get the attention of potential customers. The customers, or “johns,” who are typically driving, pull up to them and the two then negotiate a transaction and engage in the sex activity. The sex activity may occur in the vehicle on a side street near the blade, at a hotel, or another location such as the john’s house. These activities are typically referred to as “dates.”

10. Frequently, sex workers engaging in commercial sex acts or “dates” on the Oakland blade are doing so at the direction of other individuals. Individuals who monitor and control the commercial sex workers’ activities are commonly referred to as “pimps.” Pimps regularly circle the blade in their vehicles to monitor the sex workers, mostly females, who are “working” for them. After completing dates, the females will often get into the vehicles of their trafficker to give them the money they made. The pimps will also regularly attempt to recruit other females walking back and forth or standing on the blade to come work for them, and will stop their vehicles next to them in order to speak to them, or sometimes park their vehicle and walk up to them. I have witnessed pimps attempting to recruit females in an aggressive manner, called “sweating,” on many occasions while conducting surveillance operations on the Oakland blade.

11. Based on my training and experience conducting law enforcement operations on the Oakland blade, I believe that a substantial portion of the prostitution that occurs on the Oakland blade is sex trafficking as defined in Title 18, United States Code, Section 1591(a), namely the non-consensual exploitation of people for profit by individuals who use force, fraud or coercion to cause their victims to perform commercial sex acts. Put in other terms, a large portion of the commercial sex workers on the Oakland blade are sex trafficking victims. It is not uncommon for these victims of sex trafficking to be minors.

12. Based on my training and experience, I know sex trafficking victims are often afraid of their pimps and fear reprisal if they make a report to law enforcement. Additionally, many of these victims have been manipulated by their traffickers and don't understand that they are victims, or they are not aware of their rights or the help available to them. Accordingly, sex trafficking victims are often reluctant to speak to law enforcement.

13. Over the past few years, the Oakland blade has seen an increase in violent crimes such as sex trafficking and gun violence related to the sex trafficking. Beginning in 2024, in response to the increase in reports of sex trafficking and related gun violence, the Oakland Police Department ("OPD") and the FBI began a new joint initiative to identify the most prolific and violent pimps in order to curb violence on the Oakland blade.

Kidnapping leads law enforcement to NIOUS

14. On February 3, 2023, OPD officers responded to a citizen complaint of a kidnapping in the area of International Boulevard and 6th Avenue in Oakland, California, an area of the Oakland blade. Video footage from the area depicts an individual later identified as Jason NIOUS parking a white Mercedes S550 sedan at a curb, opening the trunk, and then walking over to a woman standing nearby and pushing her into the trunk of the vehicle.

15. In the video footage, it appears the driver of the white Mercedes S550 sedan California license plate number 8KOW458, attempted to close the lid of the trunk on the woman inside the trunk when a passerby caught the driver's attention and distracted him, and the woman

was able to escape. OPD officers who arrived on scene located the vehicle nearby and identified the driver as Jason NIOUS. The victim, who was identified as an adult and is hereinafter referred to as “JD,” was in the back seat and appeared to have been crying. She was visibly shaken but did not want to cooperate with responding officers.

16. On April 5, 2023, OPD Officers and FBI TFOs conducted a Human Trafficking operation in and around the Oakland blade in an effort to locate and recover victims of human trafficking. During the operation, investigators observed a young woman, possibly a minor, who appeared to be working as a sex worker, based on her clothing, appearance, idly standing or pacing in the area with no apparent destination, and speaking to drivers of stopping vehicles. That young woman entered the backseat of a white Mercedes S550, California license plate number 8KOW458. An OPD officer conducted a file check of the plate and learned the vehicle was registered to Jason NIOUS. The officer knew NIOUS from the incident involving the kidnapping of JD and knew that NIOUS was on probation for a gun-related offense. Shortly after viewing the young woman enter the vehicle, a marked OPD unit pulled the vehicle over for vehicle code violations. The driver was identified as NIOUS. During the stop, officers observed there was a front seat passenger, identified as JD. The same JD previously observed during the reported kidnapping incident from February 3, 2023. The young woman in the back of the vehicle was also identified and determined to be an adult. Neither woman further cooperated with law enforcement.

17. On October 20, 2024, at approximately 12:34am, the Salinas Police Department (“SPD”) pulled over NIOUS in his white Mercedes S550, California license plate 8KOW458, for a vehicle code violation after observing it near the intersection of East Market Street and Kings Street in Salinas. During the stop, NIOUS instructed a woman sitting in the passenger side to not disclose her name to the Salinas officer. NIOUS was cited for the vehicle code violation.

On September 18, 2024, NIOUS knowingly possessed a firearm

18. On September 18, 2024, at approximately 2:20pm, OPD officers were conducting a surveillance operation in the 500 block of East 15th Street in Oakland, California, within the area of the Oakland blade, to apprehend an individual who had an active arrest warrant for firearm possession. During the operation, they observed an individual later identified as NIOUS standing next to the wanted person, and accessing a parked vehicle, his white 2015 Mercedes Benz S550, California license plate 8KOW458. Officers determined the vehicle was still registered to NIOUS. The wanted person was detained for his warrant, and NIOUS was also detained for questioning because he appeared to be associated with the subject of the arrest warrant.

19. Officers conducted a file check of NIOUS using law enforcement databases which revealed that he was a convicted felon and was currently on Probation in San Francisco County, California.² These terms included that NIOUS was subject to a warrantless search and seizure provision.

20. As NIOUS was on probation, and the terms of his probation allow a law enforcement officer to search his vehicle and/or person, officers conducted a probation compliance search of the Mercedes. On the front passenger seat in plain view, there was a black sling bag which contained a brown Glock G48 9x19 9mm handgun, serial number BRUD435, and brown frame, and a loaded 10-round magazine. There was also a live 9mm round in the chamber of the handgun. Officers conducted a file check of the firearm on various law enforcement databases but were unable to locate any record of it. A photo of the recovered firearm is below.

² Previous affidavits filed on November 18, 2024, stated NIOUS was on probation in Alameda County. However, he is currently on probation out of San Francisco County.



21. NIOUS was subsequently arrested by OPD for being felon in possession of a firearm, carrying a firearm in public, and having a concealed firearm in a vehicle.

22. On November 14, 2024, I spoke with Deputy Probation Officer Sam Allen, of San Francisco County Probation. PO Allen confirmed NIOUS was on probation on September 18, 2024, and that the search of NIOUS and his vehicle that day was authorized based on the conditions of NIOUS's probation.

The firearm NIOUS possessed travelled in foreign and interstate commerce

23. On October 24, 2024, the Bureau of Alcohol, Tobacco, Firearms and Explosives (“BATF”) National Tracing Center provided a report to OPD with the results of their trace of the recovered weapon. The Glock handgun, serial number BRUD435, was imported from Austria by Glock, Inc. of Smyrna, Georgia. It was then purchased on March 17, 2021, by a buyer in Phoenix, Arizona. Thus, for the firearm had to travel in foreign and/or interstate commerce to have been recovered in the Northern District of California.

At the time of his possession, NIOUS had been convicted of a crime punishable by imprisonment for a term exceeding one year

24. According to his criminal history records, on March 17, 2006, NIOUS was convicted in Alameda County, California for committing an armed robbery, a felony, in violation of California Penal Code (PC) 211. NIOUS was sentenced to 12 years in prison.

25. On January 24, 2017, NIOUS was convicted in Alameda County for human trafficking of a minor, in violation of CA PC 236.1(A), and providing controlled substances to a minor in violation of California Health and Safety Code (HS) 11380(A), both felonies. He was sentenced to 10 years in prison and ordered to register as a sex offender.

At the time of his possession, NIOUS knew he had been convicted of a crime punishable by imprisonment for a term exceeding one year

26. Because NIOUS was sentenced to 12 years and 10 years, respectively, for his aforementioned convictions, there is probable cause to believe that, at the time he possessed the firearm on September 18, 2024, he knew he had been previously convicted of a crime punishable by a term of imprisonment exceeding one year.

CONCLUSION

27. Based on my training and experience, and the facts and circumstances set forth above, I believe probable cause exists that on September 18, 2024, in the Northern District of California, Jason NIOUS, a felon, possessed a firearm in violation of Title 18, United States Code, Section 922(g)(1). Accordingly, I respectfully request that the Court issue a criminal complaint and a warrant for his arrest.

REQUEST FOR SEALING

28. I further request that the Court order that all papers in support of this application, including the affidavit and arrest warrant, be sealed until further order of the Court. These documents discuss an ongoing criminal investigation that is neither public nor known to all of the targets of the investigation. Accordingly, there is good cause to seal these documents because their premature disclosure may seriously jeopardize that investigation, including by

giving targets an opportunity to destroy or tamper with evidence, change patterns of behavior, notify confederates, and flee from prosecution.

Respectfully submitted,

/S /
MARTHA E. PARKER
Special Agent, Federal Bureau of Investigation

Subscribed and sworn to before me on this 11 day of December 2024



HONORABLE KANDIS A. WESTMORE
U.S. Magistrate Judge